



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt resolution approving the application to apply for grant funds for the California Environmental Protection Agency, Waste Tire Playground Cover Grant

MEETING DATE: June 5, 2002

PREPARED BY: Parks and Recreation Director

RECOMMENDED ACTION: Adopt resolution approving the application to apply for grant funds for the California Environmental Protection Agency, Waste Tire Playground Cover Grant.

BACKGROUND INFORMATION: The purpose of this competitive grant program is to fulfill the legislative mandates by assisting in the development of markets for products manufactured from California waste tires and supporting the diversion of waste tires from landfills and stockpiles. Eligible projects for the Playground Cover Grant include surfacing materials that are placed underneath and around playground equipment. The Parks Division is currently designing a new playground area at Lawrence Park. The project calls for 3000 square feet of playground cover surfacing materials to be placed underneath and around the new playground equipment.

This grant may be for a maximum amount of \$25,000. Any grant received requires a 50% match. Staff intentions are to attempt to meet any match requirement through the use of CDBG funds.

FUNDING: If the grant application is successful, the City must provide a 50% match (for example, a grant of \$25,000 requires a match of \$12,500).



Roger Baltz
Parks and Recreation Director

Prepared by Steve Dutra, Park Superintendent

RB:tl

cc: City Attorney
Community Development Director

APPROVED: _____


H. Dixon Flynn -- City Manager

05/28/02

March 2002

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

INTEGRATED WASTE MANAGEMENT BOARD

**WASTE TIRE PLAYGROUND COVER
GRANT PROGRAM FY 2002/2003
APPLICATION INFORMATION AND INSTRUCTIONS**



Available to the Following Public Entities in California that Operate Public Playgrounds Open to the Public During Normal Recreational Hours: Cities, Counties, City and County, Park Districts, Special Districts, Public School Districts, State Owned Recreational Facilities, Colleges, Universities, and Qualifying California Indian Tribes.

Applications must be mailed by Friday June 7, 2002

Hand-delivered, late, faxed or E-mailed applications will not be accepted.

Maximum Points: 100

Applicants Must Score 70% (70 of 100 Points)

To Be Considered For Funding

Waste Tire and Playground Grants Hotline Number

(916) 341-6441

Waste Tire Playground Cover Grant Program

Question-and-Answer Period

Deadline: April 19, 2002

In order to give all applicants the same opportunity and the same information, the California Integrated Waste Management Board (CIWMB) has established a question-and-answer period for competitive grant programs.

Program-specific questions must be submitted in writing by mail or E-mail. The deadline for all questions is April 19, 2002. No questions will be answered after April 19, 2002. No phone calls regarding this grant program can be accepted after the release of the application.

All questions and answers will be posted on the CIWMB Tires Grant Program web page (see website below). The tentative web page posting date for these questions and answers is April 24, 2002, with updates posted as required. Questions and answers will be mailed to parties who request it by checking the box on the back of the Notice of Funds Available (NOFA). If you would like a copy of the questions and answers mailed to you either by mail or E-mail, forward your request to the address listed below.

Web page address: www.ciwmb.ca.gov/Tires/Grants/

E-mail address: tiregrants@ciwmb.ca.gov

Mailing address to request questions and answers:

**California Integrated Waste Management Board
Attn: Linda Dickinson
Special Waste Division
Waste Tire Playground Cover Grant Program
P.O. Box 4025, MS 22
Sacramento, CA 95812-4025**



Waste Tire Playground Cover Grant Program

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WASTE TIRE PLAYGROUND COVER GRANT PROGRAM

Fiscal Year 2002/2003

I. GRANT SUMMARY

BACKGROUND

The California Integrated Waste Management Board (CIWMB) receives an annual appropriation from the California Tire Recycling Management Fund (Tire Fund) to administer the Tire Recycling Act (Act) (W. Brown, Statutes of 1989, Chapter 974) and related legislation. As part of the Act, CIWMB is offering the Waste Tire Playground Cover Grant Program to encourage the reduction of landfill disposal and stockpiling of California waste tires.

Section 42889(g) of the Public Resources Code (PRC) requires CIWMB to assist in developing markets for waste tires.

Further, PRC 42872(a) allows for the awarding of grants to public entities involved in activities and applications that result in reduced landfill disposal or stockpiling of waste tires.



CIWMB will award the grants on a competitive basis. The purpose of this competitive grant program is to fulfill the legislative mandates by assisting in the development of markets for products manufactured from California waste tires and supporting the diversion of waste tires from landfills and stockpiles.

Applicants must submit a plan for a project that includes materials manufactured from California waste tire rubber. Applicants may submit an application for projects that are open to the public and refurbish surfacing at existing playgrounds or provide surfacing for new playgrounds. Eligible projects for the Playground Cover Grant include surfacing material that is placed underneath and around playground equipment.

- "Playground" means an improved outdoor area designed, equipped, and set aside for children's play that is not intended for use as an athletic playing field or athletic court, and shall include all playground equipment, surfacing, fencing, signs, internal pathways,

internal land forms, vegetation, and related structures.

GRANT FUNDING

With the passage of Senate Bill (SB) 876 (Escutia, Statutes of 2000, Chapter 838) the tire fee was increased to one dollar (\$1.00) per tire enhancing the potential resources available for this program. SB 876 authorizes CIWMB to allocate monies from the Tire Fund in a manner consistent with a five-year plan that is developed and approved by CIWMB and submitted to the Legislature. In the CIWMB-approved Five-Year Plan, staff proposed funding for the next five fiscal years at \$800,000 per fiscal year for playground cover grants (with a maximum of \$25,000 per grant).

If the total amount of funds requested by the successful applications exceeds the funding amount available, CIWMB will allocate grant funds by passing score (rank order), then funding will be split, as follows: sixty-one (61) percent to projects submitted from southern California and thirty-nine (39) percent to projects submitted from northern California. The division of the State is based on the estimated population of each county in January 2000, provided by the Department of Finance (DOF). Southern California counties are defined as those counties including and south of San Luis Obispo, Kern, and San Bernardino. Northern California counties are all those counties north of and including Monterey, Kings, Tulare, and Inyo.

A random number selection method may be implemented if the number of successful applications with the lowest funded score is greater than the funds available for this grant cycle.

APPLICANT ELIGIBILITY

Public entities that operate and manage a public playground in California can apply. For purposes of this grant, "public entities" (also referred to herein as "jurisdictions") are cities, counties, a city and county, colleges, universities, state owned

recreational facilities, public school districts, qualifying California Indian tribes, park districts, and special districts. Only one application per jurisdiction will be accepted for the FY 2002/2003 grant cycle (i.e., one application per school district, tribe, city, county, park district, etc.).

Two or more public entities operating a playground as a joint venture, under an existing agreement, are also eligible to apply. A formal inter-agency agreement such as a Joint Powers Authority (JPA) or Memorandum of Understanding (MOU) must be in place before the application deadline.

An applicant must:

- Plan to use surfacing materials made of rubber from California waste tires.
- Include in the project plan information on public outreach and a sign designating CIWMB as a contributor toward the project. The sign must also identify the number of tires diverted from the waste stream due to this project.
- Verify that the project is a public playground and is open to the public during normal recreational hours.
- Demonstrate the ability to provide a fifty percent (50%) match (of the grant amount requested), which may be reduced to a twenty-five percent (25%) match (of the grant amount requested), upon verification provided to CIWMB of "Extreme Financial Hardship." Directions on how to qualify for "Extreme Financial Hardship" are provided in these instructions (see page 8 "Extreme Financial Hardship").

Example of a project match: Applicant requests \$25,000. The match must be at least \$12,500. If Extreme Financial Hardship verification is provided, the match must be at least \$6,250.

ELIGIBLE PROJECTS

Projects that use tire rubber produced from California waste tires for surfacing at public playgrounds are eligible to apply for grant funding. Applicants for this grant program are

limited to one application per jurisdiction for one or more playground(s). NOTE: Once the grant is awarded, it is the applicant's responsibility to obtain a manufacturer's certification of recycled-content and that the product(s) used for the project was from California waste tires.

The Recycled-Content Product (RCP): The RCP database (www.ciwmb.ca.gov/RCP/) lists many companies that provide playground cover material produced from waste tires in California and other states. This grant program is only available for *California* waste tire playground surfacing products. The RCP database does not include all recycled-content products that are available or all of the distributors of the products listed, but it is a good starting place.

RCP Database Disclaimer: The identification of individuals, companies, products and materials listed in the RCP Database does not constitute endorsement by the CIWMB and is provided for informational purposes only. CIWMB is distributing this information in an effort to increase public awareness and knowledge about this important topic.



INELIGIBLE PROJECTS

Projects that use tire rubber produced from non-California waste tires are not eligible for grant funding. Private playgrounds are not eligible for grant funding. Projects that do not meet the definition of a "playground," such as tennis courts, skateboard facilities, swimming pools, restrooms, athletic playing fields or athletic courts, etc., are not eligible for funding.

ELIGIBLE COSTS

Eligible costs are expenditures incurred during the term of the grant, which directly relate to the implementation of the playground surfacing portion of the project (i.e., preparation, installation, materials, labor, signage, and public outreach expenses).

INELIGIBLE COSTS

Any costs not directly related to the surfacing of the playground project are ineligible for grant funding or match money. Ineligible costs include, but are not limited to, the following:

- Costs incurred prior to the receipt of the "Notice To Proceed" or after April 1, 2005;
- Any costs not directly related to the preparation, installation, signage, materials, labor and public outreach expenses;
- Costs of waste tire playground surfacing materials that are not from California;
- Costs currently covered by another CIWMB funded loan, grant or contract;
- Purchasing or leasing of land;
- Purchasing or leasing of vehicles by non-governmental agencies;
- Overtime costs (except for local government staffing during evening or weekend events when law or labor contract requires overtime compensation);
- Out-of-state travel;
- Expenses incurred for meetings, workshops, training, special events, etc.;
- Any food or beverages;
- Profit or mark-up by the Grantee;
- Overhead expenses such as costs for rental/lease of space, utilities, office supplies, and miscellaneous costs incurred;
- Any costs that are not consistent with local, state, and federal guidelines and regulations;
- Cell phones and pagers;
- Any personnel costs not directly related to salaries and/or benefits;
- Permit, inspection, and use fees;
- Interest charges or payments on bonds or indebtedness required to finance project;
- Bonus payments for early completion of work;
- Fines or penalties due to violation of federal, state or local laws, ordinances, or regulations;
- Travel or per diem costs;
- All cost attributable to county or state building permit fees, sewer/utility use or unit fees, and/or other building inspection fees; and
- Maintenance costs.

QUESTIONS AND ANSWERS

To give all applicants the same opportunity and the same information, CIWMB has established a question-and-answer period for competitive grant programs. Program-specific questions must be submitted in writing, by mail, or E-mail. The deadline for all questions is April 19, 2002. No questions will be answered after April 19, 2002. No phone calls regarding this program can be accepted after the release of the application.

All questions and answers will be posted on CIWMB's web page. The tentative web page posting date for the questions and answers is April 24, 2002, with updates posted as required. A copy of these results will be mailed to those who request it by checking the box on the back of the Notice of Funds Available (NOFA) or by mailing or E-mailing a request to the appropriate address below.

Web page address:

www.ciwmb.ca.gov/Tires/Grants/.

E-mail address: tiregrants@ciwmb.ca.gov

Mailing Address:

California Integrated Waste Management Board
Attn: Linda Dickinson
Special Waste Division
Waste Tire Playground Cover Grant Program
P.O. Box 4025, MS 22
Sacramento, CA 95812-4025

GRANT TERM

The term of the grant is from the time the grantee receives a Notice to Proceed from CIWMB through April 1, 2005. All costs must be incurred during this term. The last payment request and final report are due by **April 1, 2005**.

PROPOSED PROGRAM MILESTONES

Date	Activity
March 2002 to April 19, 2002	Application period (program-specific questions accepted by mail and/or E-mail)
April 19, 2002	Question-and-Answer period deadline
April 24, 2002	Questions and Answers available (tentative)
June 7, 2002	Application deadline
July 2002 to August 2002	Review and ranking of applications
October 2002	Recommendations of Award presented to the Board
December 2002 – April 2005	Grant performance period
April 1, 2005	Close of grant term
April 1, 2005	Final report and final payment request due

II. GRANT APPLICATION AND AWARD PROCESS

The application process consists of submitting:

- A completed and signed Waste Tire Playground Cover Grant Program application (initialed where appropriate for Environmental Justice on the Application Cover Page);
- A signed resolution or resolution timeline and, if applicable, a Joint Powers Authority Agreement or Memorandum of Understanding.

APPLICATION DEADLINE

The completed and signed application must be postmarked or exhibit a commercial carrier tracking number that is before or on Friday, June 7, 2002. Hand-delivered, faxed or E-mailed applications will not be accepted at any time. Other than the Resolution (discussed on page 10), missing or corrected information received after the deadline will be returned to the applicant and will not be considered. It is the applicant's responsibility to ensure that CIWMB receives the application with all required information on time.

GRANT EVALUATION PROCESS

After the close of the application period, staff will review and score the grant applications. The applications will be evaluated based on the answers to the criteria in the application (see Appendix E - Scoring Criteria). Applicants must score seventy (70) percent (70 of 100 points) to be considered for funding. All applications will be ranked by the total number of points received with the highest ranked proposals having funding priority.

AWARDING OF GRANTS

Based on the resulting scores, staff will develop funding recommendations for the Board's consideration during its monthly business meeting in October 2002 (tentative). A random number selection method may be implemented if the number of successful applications with a passing score is greater than the funds available for this grant cycle. If the total amount of funds requested by the successful applications exceeds

the funding amount available, CIWMB will allocate grant funds by passing score (rank order), then funding will be split, as follows: sixty-one (61) percent to projects submitted from southern California and thirty-nine (39) percent to projects submitted from northern California. The division of the State is based on the estimated population of each county in January 2000, provided by DOF. Southern California counties are defined as those counties including and south of San Luis Obispo, Kern, and San Bernardino. Northern California counties are all those counties north of and including Monterey, Kings, Tulare, and Inyo.

All applicants will be notified of staff's recommendations by mail. Applicants selected for grant funding will receive instructions to initiate the grant agreement process.

CIWMB reserves the right to fund individual phases of selected proposals, and may therefore fund an amount less than requested. In the event CIWMB awards only a portion of an applicant's grant request, CIWMB staff will incorporate additional conditions or changes in the final grant agreement.

III. APPLICATION INSTRUCTIONS

The application is self-explanatory. The Appendices provide a sample budget, sample procurement policies, term and word definitions, an application checklist, and scoring criteria. A sample application has been included on CIWMB's website at

www.ciwmb.ca.gov/Tires/Grants/Playground.

The completed application must include answers to all eleven (11) criteria as well as the following completed forms:

- Work Statement;
- Budget Itemization Form;
- Summary of Current and Previous Grant Awards; and
- Resolution or resolution acknowledgement (discussed below), and if applicable, a Joint Power Agreement (JPA) and/or Memorandum of Understanding (MOU).

EXTREME FINANCIAL HARDSHIP

To qualify for "Extreme Financial Hardship" and the reduced matching funds, the applicant's

playground project must be located within a zip code for which the median household income is at or below sixty-four percent (64%) of the State Median Household Income of \$35,798. Sixty-four percent of the State Median Household Income is \$22,911.

To find the median household income for the project's zip code:

- Go to www.census.gov
- Select "Income"
- From the top index select "Access Tools"
- Select "1990 Census Look Up"
- Select "STF3B – Zip Codes"
- Choose "Retrieve the Zip Codes you've entered below"
- Enter the project's zip code in the box and hit "submit"
- Select "Choose Tables to Retrieve" hit submit
- Select "P80A" hit submit

The site will display the Median Household Income for the zip code submitted.

Applicants unable to determine the median household income for the project's zip code may contact CIWMB via the Grants Hotline (916-341-6441) or E-mail: tiregrants@ciwmb.ca.gov and ask for assistance.

WORK STATEMENT

The Work Statement must list all tasks including grant funded and match activities that are eligible expenses necessary to complete the proposed project. Please number each task. The Work Statement expenses must match the Budget Itemization Form. Each item in the Work Statement is detailed below:

Task Description - the activities conducted within a project. Each major Task Category should be listed and broken into subtasks. For example, if the proposed project involves the major task "Hiring a Contractor," the Work Statement might list the following subtasks: 1) preparation of a request for proposal or bid; 2) proposal/bid sent to businesses; 3) in-house review process after receiving the bids; 4)



preparation of contract; and 5) announce award of contract.

- **Budget** - the amount of grant and match funds necessary to complete the major tasks and subtasks. This section of the Work Statement must match the Budget Itemization Form. Hint: Only include the minimum match money, as this directly correlates to the points you'll receive in Criteria # 10 (see Appendix E Scoring Criteria).
- **Product or Results** - the finished product(s), timeline(s), or goal(s) of the task(s).
- **Staff or Contractor** - the person or title of the person who will be responsible for implementing the task(s).
- **Time Period** - the projected beginning and ending date required to complete each task.

If additional space is needed, the Work Statement form may be reproduced as necessary.

BUDGET ITEMIZATION

Provide a thorough itemization of funds requested (see Appendix B – Budget Sample) for eligible expenses. Clearly itemize all expenses described in the Work Statement. Demonstrate that the budget is reasonable for the work proposed. Only reasonable costs incurred during the grant agreement term are eligible for grant funding. Dollar amounts should be rounded to the nearest whole dollar ($\leq .50$, round up, $\geq .49$, round down). **Applicants must carefully check the accuracy of all budget itemizations and totals.** Descriptions of each category in the Budget Itemization Form are as follows:



- **Personnel Services** – this may include salaries, wages, and benefits for personnel who are employed by the grantee and will work directly on the project.
- **Materials/Supplies** – this may include costs of materials and/or supplies directly related to completion of the project.
- **Equipment** - enter the total dollar amount to be expended on equipment and itemize the quantity and purchase price. If you do not know the exact dollar amount, provide estimates.

- **Services/Contracts** – this may include contracts with construction and engineering service and equipment manufacturers, or other project-related services.
- **Other Costs** – identify costs not included in the above categories and not listed as ineligible costs.
- **Cost Savings** - include cost savings, e.g. volunteer labor, in-kind services, re-use, recycling options, etc.

If additional space is needed, the Budget Itemization Form may be reproduced as necessary.

SUMMARY OF CURRENT AND PREVIOUS GRANT AWARDS

List all current and previous CIWMB grants that your agency has received in FYs 1999/2000, 2000/2001, and 2001/2002.

- **Type of Grant** – Playground, Used Oil, Waste Tire, etc.
- **Grant Agreement Number** - list the grant agreement number of your current and previous CIWMB grants.
- **Grant Award \$** - list the dollar amount your program was awarded. Do not list what you requested.
- **Brief Program Description** - give a one (1) or two (2) sentence summary of each grant program(s) that received a CIWMB grant.
- **Audit** - has this grant ever been audited by CIWMB or other agency such as Bureau of State Audits, or Department of Finance? If yes, give the date and auditing agency.

RESOLUTION

The grant application package must include an approved resolution from the applicant's governing body authorizing submittal of an application to CIWMB. The resolution must also identify by title, the position authorized to execute the grant agreement, and all related documents including requests for payment. (See Sample Resolution on page 17 of the application.)

In the event the applicant cannot obtain a resolution prior to submission of the application, the application must include the completed

acknowledgement form in the application, which states when the resolution approval is expected. The resolution must be received by CIWMB prior to the awarding of the grant.

Cooperative Projects - In addition to the resolution for the lead applicant as described above, applications for cooperative projects **must include one of the following:**

- **JPA Agreement** - a copy of a Joint Powers Authority (JPA) agreement and a letter from each jurisdiction's manager or administrator designating the lead agency and authorizing it to act on their behalf as both applicant and grant administrator; or
- **MOU** - a copy of a Memorandum of Understanding (MOU) designating the lead agency and authorizing it to act on behalf of the jurisdictions as both applicant and administrator.

IV. PAYMENT REQUESTS AND AUDIT REQUIREMENTS

PAYMENT OF GRANT FUNDS

Grant funds are paid on a reimbursement basis for the actual costs directly related to the project as approved. Ten (10) percent of each payment request will be retained until the Final Report and a final Payment Request are submitted and approved by CIWMB. Payment will be made only for costs described in the applicant's approved Grant Agreement unless CIWMB has approved (in writing) grant modifications. All payment requests must be prepared as described in the Procedures and Requirements section of the Grant Agreement for both grant and matching expenditures. Include itemizations with documentation of claimed expenses (e.g., receipts, invoices, proof of payment, etc.).



AUDIT REQUIREMENTS

All Grantees are required to comply with the following provision:

"Audit/Records Access. The Grantee agrees that CIWMB, the Bureau of State Audits, Department of Finance or their designated representative(s) shall have the right to review and to copy any

records and supporting documentation pertaining to the performance of this Agreement. The Grantee agrees to maintain such records for possible audit for a minimum of three (3) years after the end of the grant term, unless a longer period of records retention is stipulated, or until completion of any action and resolution of all issues which may arise as a result of any litigation, dispute or audit, whichever is later. The Grantee agrees to allow the designated representative(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Grantee agrees to include a similar right of the State to audit records and interview staff in any contract or subcontract related to performance of the Agreement."

V. APPLICATION SUBMITTAL

An applicant must mail an original and three copies of the application to the address below. Identify the original application with a mark or stamp indicating "original" and mark or stamp the copies, "copy." The original and three (3) copies must be typed in a font of no less than 10 (ten) point, printed on recycled-content paper, double-sided and fastened in the upper left-hand corner (do not bind the applications.)

Applications submitted to CIWMB must be postmarked or exhibit a commercial carrier tracking number dated by **Friday, June 7, 2002**. Applications postmarked or exhibiting a commercial carrier tracking number dated after **Friday, June 7, 2002** will not be accepted and will be returned to the applicant. **Hand-delivered, faxed or E-mailed applications will not be accepted at any time.**

Other than the Resolution, missing or corrected information received after the deadline will be returned to the applicant and will not be considered. It is the applicant's responsibility to ensure that the application is submitted on time to CIWMB.

The following is the U. S. Postal mailing address:

**California Integrated Waste Management Board
Waste Tire Playground Cover Grant
Financial Assistance Branch, Grants Administration Unit
ATTN: Kelley Tyack
P.O. Box 4025, MS10
Sacramento, CA 95812-4025**

The following physical address is for applications sent by commercial carrier:

**California Integrated Waste Management Board
Waste Tire Playground Cover Grant
Financial Assistance Branch, Grants Administration Unit
ATTN: Kelley Tyack
1001 "I" Street, 19th Floor, MS10
Sacramento, CA 95814**



End of Application Instructions

RESOLUTION 2002-119

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY, WASTE TIRE
PLAYGROUND COVER GRANT

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WHEREAS, the people of the State of California have enacted Assembly Bill 1843 (W. Brown, Chapter 974, Statutes of 1989) that provides a grant to public entities involved in activities that result in reduced landfill disposal of used whole tires and reduced illegal disposal or stockpiling of used whole tires; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for the administration of the program for the state, setting up necessary procedures governing program applications; and

WHEREAS, said procedures established by the California Integrated Waste Management Board require the applicant to certify by resolution approval of the application before submission of said application to the state; and

WHEREAS, if awarded a grant, the applicant will enter into an agreement with the State of California for development of the project.

NOW, THEREFORE, BE IT RESOLVED, that the Lodi City Council hereby authorizes the submittal of an application to the California Integrated Waste Management Board for the 2002/2003 Playground Cover Grant Program; and

BE IT FURTHER RESOLVED, that the City Manager is authorized and directed to execute all necessary documents, including but not limited to, applications, agreements, amendments, and payment requests necessary to secure grant funds and to implement and carry out the purposes specified in the grant application.

Dated: June 5, 2002

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I hereby certify that Resolution No. 2002-119 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 5, 2002, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

2002-119